Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
The Use of N11 Codes and Other	)	CC Docket No. 92-105
Abbreviated Dialing Arrangements	)	

COMMENTS OF U S WEST COMMUNICATIONS, INC.

LAWRENCE E. SARJEANT
1020 19th Street, N.W.
Suite 700
Washington, D.C. 20036
(202) 429-0303

ATTORNEY FOR

U S WEST Communications, Inc.

June 5, 1992

TABLE OF CONTENTS

SUMMARY

In these comments, U S WEST Communications, Inc. ("USWC") offers its general comments concerning the assignment of N11 numbers, presents alternatives to the proposed assignment of N11 numbers and responds specifically to the inquiries made by the Federal Communications Commission ("Commission") in its N11 NPRM.

In its general comments, USWC points out that in addressing the issue of the assignment of N11 numbers, the Commission must go beyond whether there is a legal impediment to the assignment of N11s and determine whether their assignment for information services is in the public interest. Further, the Commission must also be certain that a full and complete record is developed in this proceeding which answers the question of whether there are alternatives to N11s for information services and whether any such alternatives are superior to the Commission's proposal.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
The Use of N11 Codes and Other Abbreviated Dialing Arrangements	)	CC Docket No. 92-105

COMMENTS OF U S WEST COMMUNICATIONS, INC.

U S WEST Communications, Inc. ("USWC"), through counsel and pursuant to the Federal Communications Commission's ("Commission") Notice of Proposed Rulemaking ("N11 NPRM"),[1] hereby files its comments in the above-captioned rulemaking proceeding. USWC believes that the public interest requires that N11 numbers be reserved for uses that are national in scope and consistent with the public service nature of services that have traditionally been assigned N11 numbers.[2] Should the Commission permit the assignment of N11 numbers to enhanced services providers[3] (and possibly others), the Commission should prescribe the manner in which N11 codes are to be made available and recovered by local exchange carriers ("LEC"), assuring that there

---

[1]The Use of N11 Codes and Other Abbreviated Dialing Arrangements, CC Docket No. 92-105, Notice of Proposed Rulemaking, FCC 92-203, rel. May 6, 1992 ("N11 NPRM").

[2]E.g., 911 emergency police, fire and medical services; 411 directory assistance services.

[3]Enhanced services providers ("ESP") are also known as information services providers ("ISP") and the terms are used interchangeably hereafter.

are no adverse impacts to the North American Numbering Plan ("NANP") or its administration.

DISCUSSION

I. General Comments

The BellSouth Petition for Expedited Declaratory Ruling ("BellSouth Petition")[4] and the public dialogue which has occurred between the filing of the BellSouth Petition and the release of the N11 NPRM[5] have brought to the forefront a clash between public and commercial interests in the numbering area.[6]

---

[4]See Petition for Expedited Declaratory Ruling, filed by BellSouth Corporation on March 6, 1992.

[5]See Ltrs. to Alfred C. Sikes, Chairman, Federal Communications Commission, from: Werner K. Hartenberger, Esq., on behalf of Cox Enterprises, Inc., dated March 17, 1992; David J. Markey, Vice President-Federal Regulatory Affairs, BellSouth, dated March 24, 1992; Ronald F. Stowe, Vice President Washington Operations, Pacific Telesis, dated March 26, 1992; Werner K. Hartenberger, Esq., on behalf of Cox Enterprises, Inc., dated March 27, 1992; H. Laird Walker, Vice President-Federal Relations, U S WEST, Inc., dated March 27, 1992; David J. Markey, Vice President-Federal Regulatory Affairs, BellSouth, dated April 10, 1992; Ronald F. Stowe, Vice President Washington Operations, Pacific Telesis, dated April 22, 1992; and H. Laird Walker, Vice President-Federal Relations, U S WEST, Inc., dated May 5, 1992.

[6]The N11 number assignment issue is one of a host of short- and long-term numbering issues now before the industry and the Commission. In January 1992, the North American Numbering Plan Administration ("NANPA") released the North American Numbering Plan Administrator's Proposal On The Future Of Numbering In World Zone 1 ("NANP Administrator's Proposed Numbering Plan") for review and comment. Comments on the NANP Administrator's Proposed Numbering Plan were sought by April 30, 1992. On September 26, 1991, the National Association of Regulatory Utility Commissioners ("NARUC") filed a Petition for Notice of Inquiry Addressing Administration of the North American Numbering Plan ("NARUC Numbering Petition") with the Commission. The NARUC

(continued...)

BellSouth Corporation ("BellSouth"), in response to a request from Cox Enterprises, Inc. ("Cox") for an N11 dialing arrangement, and in recognition of the fact that the provision of N11 dialing arrangements raised public policy and regulatory issues requiring Commission review, presented to the Commission a request for Commission confirmation that BellSouth's proposed response to the Cox request (assignment of certain N11 numbers "for accessing local pay-per-call type information services via local exchange service arrangements") is consistent with the Communications Act[7] and the Commission's policies.[8]

Cox has taken the position that there are no legal or regulatory impediments prohibiting the immediate assignment of N11 numbers to ISPs and that assignment of N11 numbers should be accomplished on a first-come, first-served basis.[9] Although the Commission's N11 NPRM has solicited public comment on many of the issues raised by the BellSouth Petition, the Commission has nonetheless advised BellSouth that there are no apparent

---

[6](...continued)
Numbering Petition awaits action by the Commission. Neither addresses the N11 number assignment question frontally like the BellSouth Petition and the Commission's N11 NPRM. Nonetheless, the way in which the N11 number assignment issue is ultimately resolved will impact other numbering issues, especially the assignment of new Numbering Plan Area ("NPA") codes (also known as area codes).

[7]47 U.S.C. § 151 et seq.

[8]See BellSouth Petition at 1, 2 and 4.

[9]See Hartenberger letters to Chairman Sikes of March 17 (at 2) and March 27 (at 7).

regulatory or legal impediments to the assignment of N11 numbers in a reasonable and nondiscriminatory manner.[10]

Even accepting for the purpose of discussion here that there are neither legal nor regulatory prohibitions to the "reasonable and nondiscriminatory" assignment of N11 numbers to access information services, USWC believes that there is a large gulf between the lack of a prohibition and an affirmative conclusion that to allow such an assignment serves the national interest, and is therefore good public policy. The question raised by the BellSouth Petition is what does the national interest require when balancing the desire to facilitate the growth in one segment of the communications market (information services) against the need to maintain a rational, integrated, user friendly addressing/numbering scheme that can support all present and future communications needs in a global communications market.

As important as it may be to Cox to immediately obtain the assignment of an N11 number, expediency should not take precedence over careful deliberation. The Commission's proposed rules evidence a predisposition to the assignment of N11 codes for information services. Yet, there are facts, such as current competing uses for N11 numbers and the demand for scarce N11 numbers by other ISPs and non-ISPs that have yet to be presented to the Commission. Additionally and in light of BellSouth's proposal to use intrastate tariffs as the mechanism for assigning

---

[10] N11 NPRM at ¶ 3 n.1.

N11 numbers, there are significant jurisdictional issues that must be addressed.

USWC believes that the public interest will be served by facilitating the growth of the information services industry through the adoption of a network infrastructure and associated addressing/numbering scheme that promotes efficient and convenient end user access through the public switched telephone network to a broad spectrum of information services provided by a wide choice of ISPs. USWC also believes that national addressing/numbering standards for end user access to information services is in the best interest of both end users and ISPs.[11]

N11 numbers have traditionally been used for access to public service offerings. The public has been well served by public service applications such as 911 for emergency services. In the N11 NPRM, the Commission proposes not to disturb the use of 911 for emergency services or 411 for directory services, which it characterizes as "basic or adjunct to basic services."[12] It can only be assumed that the Commission's disinclination to disrupt 911 emergency services and 411 basic or adjunct to basic directory services derives from its recognition that the nation has been, and continues to be, well served by the widespread public acceptance of, and reliance on, the association between these N11 numbers and the public services to which they provide

---

[11]It is assumed that such national standards would continue to be consistent with the plans adopted for numbering throughout World Zone 1 ("WZ1").

[12]N11 NPRM at ¶ 11.

access. The disassociation of these N11 numbers from the services they support would, at the very least, require a major public reeducation effort in most places.

The public's attachment to these numbers stems in part from the ease with which they can be remembered. Their near universal use for the same services across the nation has further reinforced their acceptance by the public. It seems almost self-evident that the extremely limited nature of N11 numbers combined with their ease of use requires that they be reserved for public service applications. Moreover, these 8 N11 numbers are the only abbreviated numbers available for use as destination addresses in the NANP.

The Commission should also consider that the exhaustion of the current supply of area codes may require the assignment of one or more N11 numbers as area codes. Currently, area codes are three-digit codes of the form N0X or N1X. There are 160 such three-digit codes, including eight N11 numbers[13] and eight N00 numbers.[14] Since the 16 N11 and N00 numbers have been reserved

---

[13]Three digit N11 numbers are currently used as service codes. As of mid-1990, the following service code assignments were in effect: 211 unassigned; 311 unassigned; 411 local directory assistance; 511 unassigned; 611 repair service; 711 unassigned; 811 business office; and 911 emergency services.

[14]N00 numbers have been set aside by the NANP Administrator for use as service access codes ("SAC"). Currently, three SACs have been assigned: 700, 800 and 900. The 700 SAC has been assigned for use by interexchange carriers ("IXC") for implementation of network-based services. Each IXC has access to the full complement of eight million 700-NXX-XXXX numbers. The 800 SAC provides addresses for "toll-free" services. The 900 SAC provides eight million addresses (numbers), which are available

(continued...)

for use as service codes or SACs, there are only 144 area codes available for assignment.

In 1995, the industry will expand the supply of area codes by using new area codes with the digits "2" through "9" in the middle digit -- providing an additional supply of 640 new area codes.

In the event that the supply of area codes should be exhausted prior to 1995, the NANP Administrator has planned to assign one or more N00 or N11 numbers for use as area codes. It is USWC's understanding that 139 of the available 144 area codes are currently in service. Four more codes have been assigned for use prior to 1995. Two additional requests for area codes are pending before the NANP Administrator. Thus, the current "demand" for area codes prior to 1995 is at least 145, one more than the 144 available codes.[15]

The NANP Administrator has proposed that Canada replace its 610 area code with a SAC.[16] If Canada agrees, 610 could be used to satisfy the 145th area code request. However, if Canada declines, or if more requests for pre-1995 area code assignments should develop, NANPA will have no choice but to assign an N00 or N11 number for use as an area code. Based on the recent

---

[14](...continued)
to ISPs for information services and are accessible through LECs and IXCs.

[15]See Attachment I hereto: Letter to Margaret S. Bumgarner, USWC, from Fred Gaechter, NANP Administration, dated June 2, 1992.

[16]Id.

assignment rate of more than one new area code per year, the assignment of one or more N00 or N11 numbers for use as area codes prior to 1995 may be unavoidable.

The NANP Administrator could avoid the assignment of N11 numbers as geographic area codes by using only N00 numbers for this purpose. However, the use of N00 numbers as geographic area codes raises important issues. For example, an N00 number, such as 400, could cause customer confusion -- since end users have come to associate the 700, 800 and 900 numbers with particular types of services. As a result, end users in an exhausted area code may oppose the assignment of an N00 number, such as 400, for their use as a geographic area code. Further, each use of an N00 number as a geographic area code prevents its possible future use as a SAC.

The use of N11 numbers as area codes raises technical issues. Judgments will need to be made concerning whether, and at what cost, LEC end office switches can accommodate a geographic area code of the form N11.

Whether the NANPA would assign an N00 or an N11 number for use as a geographic area code is unsettled. The issue has yet to be addressed by an appropriate industry forum. However, given the likely need for one or more N00 or N11 numbers as additional area codes in the 1993-1994 period, the lack of closure around which numbers would be used to augment the current supply of area codes in the event of exhaustion and the difficulties associated with recovery of N11s assigned for

information services (e.g., end user confusion), it would appear to be imprudent to proceed with the allocation of N11 codes for use by ISPs at this time.

To the extent that N11 numbers are not used or reserved for use as area codes, they should be reserved for nationally adopted public service uses. Their provision for non-public service uses will only serve to waste a valuable national resource and potentially confer a competitive advantage to the fortunate few that are able to secure N11 number assignments.

USWC believes that any addressing/numbering scheme adopted for use by the information services industry should promote a diversity of information sources. Any dialing arrangement adopted for access to information services should reasonably accommodate a maximum number of ISPs, and should not confer an unreasonable competitive advantage to any industry member. Such addressing/numbering schemes might include 555-XXXX or N11-XXXX as they become technically feasible.[17] Addressing/numbering schemes like these provide a reasonable balance between the demands for abbreviated dialing and the need for national addressing. Further, the availability of larger pools of numbers under such schemes avoids the problems inherent in the assignment, management and recovery of the few available N11 numbers.

---

[17]In Section II, infra, USWC discusses alternative addressing/numbering schemes for information services.

II. Alternatives to the Assignment of N11 Codes to ISPs and Others

Prior to establishing rules that would require LECs to assign N11 codes to ISPs, the Commission should first establish a set of principles that would guide the development of Commission policy in two areas -- the use of N11 codes generally and the development of new addressing schemes to meet the needs of ISPs. USWC believes that a reasonable set of guiding principles would include the following:

> The public interest has been well served by the use of N11 codes for public applications, such as 911 for emergency services. The very limited supply of the remaining codes argues for conservation -- to ensure that future generations have access to this very limited resource.
>
> Any addressing scheme adopted for use by the information services industry should promote a diversity of information sources by reasonably accommodating a maximum number of ISPs, and should not confer an unreasonable competitive advantage to any industry member.

With these two principles in mind, the Commission should consider a range of addressing alternatives before adopting rules mandating N11 assignments to ISPs. In this section, USWC reviews several addressing alternatives -- some of which are available today, others may be available in the near future -- which offer substantial advantages over the Commission's N11 proposal. In particular, USWC urges the Commission to consider supporting the development of national seven-digit telephone numbers of the form 555-XXXX or N11-XXXX, which would accommodate the demands for abbreviated dialing,

provide numbers for up to 10,000 ISPs and alleviate the need to consider the assignment of a limited number of N11s for other than public service uses.

A. Currently Available Addressing Arrangements

1. Business Lines (NXX-XXXX)

Traditional business lines are available in USWC's service area on a flat-rated and measured basis. Both permit an ISP to advertise a single seven-digit telephone number within a local calling area. Calls from outside the local calling area, but within the area code, may be dialed with 1+ or 1+NPA prefix, depending on whether interchangeable central office codes have been implemented within the area code. Calls from outside the area code must be dialed on a 1+ 10-digit basis. Because of the ubiquity of business lines, virtually an unlimited number of ISPs can be accommodated with the traditional seven-digit/1+seven-digit/1+10-digit addressing scheme of the NANP.

2. Information Lines (976-XXXX and/or 960-XXXX)

These services provide a seven-digit telephone number[18] that may be reached by all end users within a given local calling area or area code, depending on an end user's location.[19]

---

[18]Within those area codes where interchangeable central office codes have been implemented with 10 digit dialing for toll calls, such as Washington State's 206 area code and Arizona's 602 area code, end users must first dial one plus the area code as a prefix to any 976-XXXX or 960-XXXX number.

[19]USWC's 976-XXXX product includes a bundled billing and collection function. The 960-XXXX product does not provide the same billing function. As a result of problems with the 976-

(continued...)

Neither 976-XXXX nor 960-XXXX are available on a regional or national basis, so individual seven-digit numbers may be assigned to different ISPs in different areas.[20] Both 976-XXXX and 960-XXXX could accommodate up to 10,000 ISPs each within a given area code. With 144 area codes currently available in WZ1, 976-XXXX provides over one million potential ISP addresses in WZ1 of the NANP.

3. Feature Group B Service (950-XXXX)

Feature Group B service provides an ISP with a national seven-digit telephone number. The industry is planning to expand the availability of 950-XXXX numbering by expanding the format of Feature Group B carrier identification codes to four-digits in 1993. This will permit the assignment of numbers in the 950-2XXX series in 1993, and additional numbers in the 950-3XXX through 950-9XXX when required. This expansion will accommodate an additional 8,000 Feature Group B customers with national seven-digit dialing arrangements.

4. 900 Service

The 900 SAC has been reserved exclusively for ISP addressing. The 900 SAC makes available up to eight million national 10-digit addresses to ISPs.

---

[19](...continued)
XXXX billing and collection functionality, USWC is currently reviewing its plans for these products.

[20]For example, in the 206 area code (western WA), 976-1111 may be assigned to a weather service while in the 503 area code (OR), 976-1111 may be assigned to an unaffiliated provider of time-of-day services.

B. Possible Future Addressing Arrangements

In this section, USWC describes several potential addressing arrangements that could provide an additional pool of national addresses of seven digits or less. USWC has begun examining these alternatives in order to respond to customer requests. For each alternative, the following will be reviewed: technical feasibility; network upgrade costs; impacts to operational support and billing systems; and market demand. The Commission's proposed N11 addressing arrangement will also be carefully considered. Until this process is complete and the results analyzed, USWC is unable to offer conclusions as to the cost/benefit of any of these alternatives. Accordingly, USWC urges the Commission to refrain from prescribing any particular numbering scheme at this time and not before LECs have had a fair opportunity to evaluate the numerous alternative addressing arrangements.

1. 555-XXXX

The 555 central office code, or prefix, is generally used for access to LEC directory assistance services. Typically, an end user dials 1+555-1212 to reach his/her LEC's "local" directory assistance service. For directory assistance for an area code different than the area code from which the call originates (e.g., 509 when the call originates in the 206 area code), the end user dials 1-509-555-1212.

Because the 555 prefix is generally recognized by end users as a means of accessing "directory information," it might be reasonable to expand the availability of numbers in the 555 prefix to ISPs. For example, numbers with the 555 prefix could be assigned to ISPs on a national basis. ISPs could then advertise a single national seven-digit telephone number to their end users anywhere throughout the United States.[21] To avoid potential conflicts with existing directory assistance services, it might be useful to reserve the 555-1XXX series of numbers for directory information and related services.[22] This arrangement would permit as many as 10,000 ISPs to be accommodated.[23]

2. N11-XXXX

This approach is similar to the 555-XXXX approach discussed above, but rather than make use of the 555 prefix, one of the available N11 codes would be assigned to establish a pool of national or international seven-digit addresses. This

---

[21]The assignment of 555-XXXX numbers need not be limited to the United States. With the cooperation of the other WZ1 participants (Canada and the Caribbean nations), 555-XXXX assignments could be international in scope, similar to the way that carrier identification codes are assigned today.

[22]In this instance, the 555-1XXX numbers would be dialable on a 10-digit basis to permit end users to reach distant directory assistance providers. The remaining 555-XXXX numbers would be national in scope and, as a result, eliminate the need for end users to dial an area code.

[23]As an alternative, 555-XXXX numbers could be assigned locally. Local assignment would permit a particular 555-XXXX number to be used by different ISPs in each area code. Under this arrangement, end users would be required to dial a 10-digit telephone number to reach a distant 555-XXXX number.

approach, like the 555-XXXX approach discussed above, would accommodate 10,000 ISP addresses.

3. Other Addressing Arrangements

The above arrangements -- both the existing seven- and 10-digit addresses as well as the potential national seven-digit arrangements -- appear to provide an abundance of addressing alternatives to ISPs. Nevertheless, USWC recognizes that customers have requested additional alternatives that would afford end users the ability to reach an ISP with an abbreviated address of fewer than seven digits. In response to these customer requests, USWC has initiated an examination of potential abbreviated dialing arrangements of fewer than seven digits. These alternatives could take the form of three or four digits, plus a "*" or a "#" prefix or suffix abbreviated dialing indicator.[24] As a part of the examination, USWC will address several issues including technical feasibility, cost, operational support and billing systems impacts and market demand. Since USWC's review is in its early stages, no final conclusions have been reached at this time.

---

[24]The "*" or "#" abbreviated dialing indicators would not be dialable from rotary telephones. As a result, customers with rotary telephones may not be able to dial certain abbreviated dialing indicators.

III. Comments in Response to Specific Commission Inquiries/Proposals

A. The ability to process N11 calls

The Commission asks for comment concerning its assumption that if a LEC is currently using 411 and 911 in its service area that it can, as a general matter, route three-digit calls without modifications to its switches.[25] In the case of USWC, the Commission's assumption is not correct in all cases.

N11 numbers are not dialable from some of USWC's step-by-step switches. In the case of those switches, it is necessary to route the call to a tandem for processing. In order to accomplish this, the caller must first dial "1" before dialing the N11 number. At the beginning of 1992, USWC had 518 step-by-step switches. It is anticipated that USWC will have 197 step-by-step switches at the beginning of 1994. USWC is not able to ascertain at this time the number of step-by-step switches which cannot handle N11 dialing with it being preceded by "1." USWC does believe, though, that N11 is not dialable without the preceding "1" with respect to more than on-half of its step-by-step switches.

B. The Commission should implement a national public service standard for N11 assignments

The Commission asks whether the use of 411 should be restricted to the provision of directory assistance information

---

[25] N11 NPRM at ¶ 10.

that is classified as basic or adjunct to basic.[26] Before responding to the Commission's inquiry, USWC wishes to note that in two of the states in which it provides local exchange service, Oregon and Washington, 411 is not used for directory assistance service.

USWC asks that the Commission adopt its proposal to evaluate the assignment of N11 numbers using a national public service standard. The Commission should also define basic or adjunct to basic directory assistance service. If the Commission adopts the USWC proposal to establish a national public service standard to evaluate the assignment of N11 numbers, USWC is prepared to submit its use of 411 to the Commission for review.

C. LECs should be allowed to transition from 611/811

The Commission seeks comment on whether 611 and 811 codes should be made available for use by ISPs, even in those areas where they are currently used by LECs for other purposes, and whether continued use of 611 and 811 by LECs represents an efficient use of limited numbering resources that serve an important public purpose.

The 611 and 811 numbers have traditionally been designated for use by customers to reach LEC repair bureaus and business offices, respectively. USWC does not use 611 for access to repair. USWC does, however, use the 811 code for access to the business office as a part of a new "soft dial tone" service.

---

[26] Id. at ¶ 11.

Soft dial tone was developed to provide a convenient means for new customers to order service.

Soft dial tone can best be described by example. Traditionally, when an individual moves to a residence or business location, the access line(s) serving the customer premise have been disconnected at the central office. As a result, customers must visit the business office or telephone the business office from another location in order to establish an account and activate service.

With soft dial tone, deactivated access lines are still incapable of receiving incoming calls. All outgoing calls, with the exception of calls to 811, are also blocked. Customers can reach the business office by plugging their telephone into their premise wiring, and dialing 811. The business office can arrange service, and fully activate the access line within hours.

The 811 code is an expeditious and convenient way for customers to activate their telephone service. Moreover, USWC's use of the 811 code is not exclusive. Competing carriers within the USWC territory may also use the 811 code for the same purpose. For example, calls to 811 placed via a competing local carrier's access lines could be directed by the competing carrier to its own business office.

USWC believes it is important that the criteria used to determine what is a national public service should be established by the Commission. Upon the development of such standards, USWC believes it would be appropriate to submit its 811 soft dial tone

service to the Commission for review. In the event USWC's use of 811 does not satisfy the national public service test, USWC would migrate off 811 within a reasonable period of time after notice of the Commission's determination. USWC believes that an 18 month notice period would be reasonable.

To the extent that the Commission adopts the national public service standard proposed by USWC, LECs using 611 and 811 for services that do not meet that standard should be allowed 18 months to migrate off of 611 and 811. Services using 611 and 811 that meet the national public service standard should be grandfathered as long as they continue to meet that test and the numbers are not required by the NANPA for area code use.

D. Recalls of N11s for use as area codes should require a maximum of 18 months notice

The Commission asks for comment on the notice period that should be imposed for the recall of N11s for use as area codes and how that should be accomplished.[27] Assuming the Commission permits the assignment of N11 codes, a maximum of 18 months notice for recall should be provided.

USWC reiterates its position that the Commission should only release N11 numbers for national public service uses. Were the Commission to do so, the assignment of N11 numbers could be managed to avoid the need to have to recall N11 numbers. Close management of the N11s would be appropriate for several years -- until 1995 -- at which point in time the number of available

---

[27] Id. at ¶ 13.

area codes will be expanded. At that time, the Commission and the industry could redouble their efforts to identify the most beneficial national public service uses for N11 numbers. Accordingly, it would be prudent for the Commission not to rush to release the available N11s for information services, and the exercise of such prudence would render moot the many difficult questions that surround how N11s could be efficiently and fairly recovered.

E. There should be no discrimination by class of user or intended use in the allocation of N11s

The Commission asks whether the assignment of N11 numbers should be limited to enhanced services providers.[28] USWC again reiterates its support for a public service test for the assignment and use of N11 numbers, and its opposition to a wholesale release of N11 numbers to ISPs.

Assuming that the Commission requires the assignment of N11 numbers absent a national public service test, USWC opposes restricting the use of N11 numbers solely to ISPs. There is no evidence that a discrimination in favor of ISPs best serves the public interest. The Commission has historically disfavored user restrictions, and no compelling reason exist for conferring an entitlement to N11 numbers upon ISPs.

F. The Commission should prescribe the process for allocating and recovering N11s

The Commission asks for comment on the manner in which N11 numbers should be allocated if demand exceeds supply. USWC

---

[28] Id. at ¶ 11.

believes that the Commission should prescribe a process for the assignment and recovery of N11 numbers so that there is consistency across the country. Demand has already exceeded supply in a number of USWC service areas. The USWC proposal is a much more workable and fair approach, and it is an approach that will assure widespread public benefit from the use of N11 numbers.

G. Reasonable allocation limits should be permitted

The Commission asks if N11 numbers should be limited to one per customer in each area. This question points out how problematic the management of these limited numbers will be if they are generally made available for information services. Any limit on the number of N11s an entity may have raises issues of which entity owns or controls which other entities that also have been assigned N11 numbers. At best, devising a scheme which would protect against the hording of N11s is extremely difficult. The USWC proposal removes the scarcity problem and alleviates the need for allocation limits for the foreseeable future.

H. The role of state regulators

Consistent with USWC's proposal of limiting the use of N11 numbers to national public service purposes, USWC would propose federal preemption of the rules for management, use and recovery of N11 numbers. It would be impossible to be assured of the consistent application of any standards established by the Commission absent some degree of federal preemption. Further, if a national scheme for the management of N11 numbers is not

implemented, the development of the information services industry will be impeded rather than assisted as mass confusion results from the implementation of a multitude of differing assignment schemes.

I. Customer Confusion Is Likely

The Commission questions whether the use of N11 numbers for information services as proposed in the N11 NPRM would result in customer confusion.[29] It would seem that the answer is yes. End users might come to understand that other than those N11s like 911, there would be no consistent national use for particular N11 numbers. There would likely be a substantial number of customers that would presume that what 511 will get them at home is what 511 will get them when they are away from home. A significant level of confusion would be assured.

The issue of customer confusion is not solely based on the customer's ability to learn new dialing patterns or acquire new dialing habits. As illustrated below, there are particularly acute problems where there are overlapping extended area services ("EAS") areas.

An example of the problem in the USWC service area exists with respect to the Seattle, Washington metropolitan area. USWC serves the City of Seattle proper and one of the larger eastside suburbs -- Bellevue. General Telephone ("GTE") serves two other major eastside suburbs -- Kirkland and Redmond (which border Bellevue) and also serves the suburbs that border Seattle

---

[29] See N11 NPRM at ¶ 18.